

EXHIBIT D

August 22, 2021  
Northmont City Schools

To All Concerned

This letter of intent to sue shall serve as a formal notice that Ben Bawidamann (parent of Evelyn and Katherine Bawidamann) intends to commence a lawsuit against you on behalf of the minors and himself. Please retain all communications between all parties in deciding to re-enact the unconstitutional declaration that you wish to illegally enforce. Your notice was sent out in the middle of school hours electronically with no prior public discussion with supporting scientific documentation provided by any government agency. No executive branch emergency may last longer than 90 days and the Ohio general assembly may only provide 60 day extensions with each continuing resolution.<sup>1</sup> Suspension of laws is only provided by said general assembly according to the Ohio Constitution §18<sup>2</sup>

The lawsuit will be seeking damages and remedy for and not limited to: unauthorized restrictions of liberty; identifying a minor as a potential public health risk with no jurisdiction; identifying and declaring a minor as a potential public health risk with no evidence<sup>3</sup>; declaring mandates to restrict a minor's liberty with no legal jurisdiction; Declaring mandates that have NO "legal jurisdiction" to restrict civil liberties; declaring mandates restricting liberties with no prior public comment; declaring mandates imposing harmful dress code that does not align with "dress code" regulations; declaring mandates as "medical experts" for non medical devices without just representation of medical professionals; depriving students and parents of civil liberties with no authority.

Article I of the Ohio Constitution §20 Powers reserved<sup>2</sup>:

This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers, not herein delegated, remain with the people. School districts simply do not have authority to issue laws of general applicability concerning health issues based on fraud and without just cause. We have NOT forfeited any explicit right that any private or federal agency has authority over our dominion and that of our children and therefore those rights are powers reserved. In addition, the "school board" under NO CIRCUMSTANCES can invoke such authority on its own. In fact, the Ohio Supreme Court has found that Ohio's Open Meetings Act prohibits any private, prearranged discussion of public business by a majority of the members of a public body regardless of whether the discussion occurs face-to-face, telephonically, via videoconference, or electronically via email, text, tweet, or other. You are not an authority and you will either RESCIND your declaration or we will take this matter to the HIGHEST of courts while holding all personal liability intact. This is a direct violation of civil liberties on a state and national level. Your current mask mandate is a direct violation of Ohio State's Open Meetings Act. A copy of this letter to you has been sent to Ohio Attorney General David Yost.

Request for a "restraining order" against all involved parties will be requested this week if the

<sup>1</sup>ORC 107.42 <https://codes.ohio.gov/ohio-revised-code/section-107.42>

<sup>2</sup><https://www.legislature.ohio.gov/Assets/Laws/Constitution.pdf>

<sup>3</sup>[https://www.cdc.gov/csels/dls/locs/2021/07-21-2021-lab-alert-Changes\\_CDC\\_RT-PCR\\_SARS-CoV-2\\_Testing\\_1.html](https://www.cdc.gov/csels/dls/locs/2021/07-21-2021-lab-alert-Changes_CDC_RT-PCR_SARS-CoV-2_Testing_1.html)

"mandate" is not rescinded by close of BUSINESS this DAY on August 23, 2021. I am letting you know right now, my children will not be wearing a mask, will not be forced to wear such a harmful non medical device because I DO NOT CONSENT nor did a public open discussion occur with supporting scientific documentation provided by any government agency. To be clear, my children and I are reserving our rights to assert claims under the US and Ohio Constitutions. Reservation of rights in no way entitles the discrimination of face-to-face learning.

Sincerely yours,

Ben Bawidamann

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<sup>3</sup>[https://www.cdc.gov/csels/dls/locs/2021/07-21-2021-lab-alert-Changes\\_CDC\\_RT-PCR\\_SARS-CoV-2\\_Testing\\_1.html](https://www.cdc.gov/csels/dls/locs/2021/07-21-2021-lab-alert-Changes_CDC_RT-PCR_SARS-CoV-2_Testing_1.html)